

I. INTRODUCTION

Dolphin files its Motion (Docket #663), requesting joinder in the Toyota Defendant's motion requesting twelve jurors be seated for the trial. The purpose of this Joinder is for Dolphin to join in the substance of the foregoing motion.

II. ARGUMENT

In the Motion, Dolphin seeks to join in the substance of the Toyota Defendant's motion and for the Court to grant the relief sought to Dolphin as well as the Toyota Defendants. However, Dolphin provides no reason or authority to support its motion. Further, Dolphin seeks to benefit from other Defendants' arguments and unique set of facts. In order for Plaintiff to adequately address each claim on its merits, there are arguments inherently unique to each Defendant, and Plaintiffs would be prejudiced if not allowed to challenge each Defendants' assertion on its own merits rather than collectively. Plaintiffs are also entitled to notice of each of Defendants' claims and assertions and should be afforded adequate time to respond to Defendants' claims and assertions. Defendants should not be permitted to "piggyback" upon motions filed by other Defendants. Therefore, the court should deny this motion and decide each issue on the individual merits.

III. CONCLUSION

Plaintiffs respectfully request that the Court deny the Motion.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2014, the foregoing pleading was filed with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to all attorneys of record who have consented in writing to accept this Notice as service of documents by electronic means.

/s/ Daryl K. Washington
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